

Message Text

CONFIDENTIAL

PAGE 01 OTTAWA 01671 050001Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
IO-13 OMB-01 TRSE-00 /080 W
-----112212 051235Z /17

R 042344Z APR 78
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC 6907
INFO AMCONSUL MONTREAL
AMCONSUL QUEBEC
ALL OTHER CANADIAN POSTS POUCH

C O N F I D E N T I A L OTTAWA 01671

E.O. 11652: GDS
TAGS: PEBR, PINT, CA
SUBJECT: TRUDEAU GOVERNMENT INTRODUCES REFERENDUM LEGIS-
LATION

REF: A) QUEBEC 481; B) QUEBEC 320

1. TRUDEAU GOVERNMENT APRIL 3 INTRODUCED IN COMMONS A BILL TO ALLOW FEDERAL GOVERNMENT TO HOLD REFERENDA ON CONSTITUTIONAL QUESTIONS. NO ATTEMPT WAS MADE TO MASK OBVIOUS PURPOSE OF THE LEGISLATION, I.E. TO COUNTER REFERENDUM WEAPON OF QUEBEC'S PARTI QUEBECOIS (PQ). AS MARC LALONDE, MINISTER FOR FEDERAL-PROVINCIAL RELATIONS, PUT IT "WE WANT TO BE EQUIPPED WITH THE SAME INSTRUMENTS OF CONSULTATION AS IS, OR WILL BE, THE QUEBEC GOVERNMENT."

2. FEDERAL BILL DIFFERS IN IMPORTANT RESPECTS FROM QUEBEC'S REFERENDUM LEGISLATION INTRODUCED BY PQ LAST YEAR (REFTELS). FORMER, FOR EXAMPLE, IS LESS RESTRICTIVE RE ORGANIZATIONS WHICH MAY BECOME INVOLVED IN REFERENDUM CAMPAIGN AND AMOUNT OF MONEY THEY CAN SPEND. PQ PROPOSAL, WITH MINOR EXCEPTIONS, REQUIRES CREATION OF UMBRELLA
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OTTAWA 01671 050001Z

ORGANIZATIONS GROUPING TOGETHER PROPONENTS OF EACH OPTION. FEDERAL LEGISLATION, HOWEVER, PROVIDES THAT ANY POLITICAL PARTY, FEDERAL OR PROVINCIAL, MAY BECOME INVOLVED IN CAMPAIGN. FURTHER, VARIETY OF OTHER GROUPS MAY PARTICIPATE AS REGISTERED REFERENDUM COMMITTEES. WHEREAS QUEBEC UMBRELLA ORGANIZATIONS HAVE STRICT SPENDING LIMITS, FEDERAL LEGISLATION RESTRICTS ONLY AMOUNT OF INDIVIDUAL CONTRI-

BUTIONS AND NOT ORGANIZATIONAL SPENDING. FEDERAL BILL WOULD AUTHORIZE REFERENDA ONLY ON CONSTITUTIONAL QUESTIONS. REFERENDA COULD BE HELD IN ONE PROVINCE, SEVERAL PROVINCES, OR ACROSS COUNTRY.

3. IF PASSED, FEDERAL LAW WOULD EXPIRE AFTER FIVE YEARS (QUEBEC BILL HAS NO TIME LIMIT). THIS REFLECTS, ACCORDING TO LALONDE, FEDERAL GOVERNMENT'S LACK OF ENTHUSIASM FOR REFERENDUM CONCEPT AS "A PERMANENT INSTITUTION OF OUR PARLIAMENTARY DEMOCRACY" AND NATURE OF LEGISLATION AS COUNTERATTACK TO PQ INITIATIVE.

4. UNLIKE QUEBEC LAW, WHICH IS SILENT ON SUBJECT, FEDERAL BILL HAS DETAILED BROADCASTING RULES, INCLUDING FREE TIME TO REGISTERED PARTICIPANTS AND TIME EVENLY ALLOCATED BETWEEN FEDERAL AND PROVINCIAL PARTIES. MEDIA HAS ALREADY POINTED OUT HOW THIS MIGHT DISADVANTAGE PQ IN A QUEBEC-ONLY REFERENDUM, SINCE PQ IS A PROVINCIAL PARTY AND ONLY ONE OF SEVERAL PARTIES.

5. APPEALS UNDER FEDERAL LAW WOULD GO TO COURTS. UNDER QUEBEC LAW, APPEALS WOULD GO TO REFERENDUM COUNCIL WHOSE CHAIRMAN IS TO BE CHIEF JUDGE OF PROVINCIAL COURT.

6. FEDERAL GOVERNMENT WOULD PROPOSE A RESOLUTION TO PARLIAMENT WHERE SUBSEQUENT DEBATE WOULD BE LIMITED TO 40 HOURS PER CHAMBER. QUESTIONS POSED IN REFERENDUM COULD

CONFIDENTIAL

PAGE 03 OTTAWA 01671 050001Z

YIELD ONLY YES OR NO ANSWERS. FEDERAL REFERENDUM RESULTS WOULD NOT BE LEGALLY BINDING BUT, ACCORDING TO LALONDE, FEDERAL GOVERNMENT WOULD FEEL "MORALLY BOUND".

7. COMMENT: PM TRUDEAU PROMISED THIS LEGISLATION LAST SUMMER. QUEBEC PREMIER LEVESQUE REPORTEDLY HAS DESCRIBED IT AS A "PRE-ELECTION PLOY." TO AN EXTENT, HE IS RIGHT. IF PARLIAMENT IS DISSOLVED SHORTLY FOR SPRING ELECTIONS, BILL WILL DIE WITH PARLIAMENT AND WITHOUT EXTENSIVE DEBATE. BY INTRODUCING BILL, THE GOVERNMENT IS FLEXING ITS MUSCLES ("DOING SOMETHING" IN UNITY CRISIS) WITHOUT ANY REASONABLE PROSPECT OF PARLIAMENTARY SCRUTINY OR TANGIBLE RESULT BEFORE NATIONAL ELECTIONS.

8. IN EMBASSY VIEW, HOWEVER, LEVESQUE IS ONLY PARTLY RIGHT. BILL, WHICH COULD BE REINTRODUCED IN A LATER PARLIAMENT, PROVIDES FEDERAL AUTHORITIES WITH A WEAPON WHICH MIGHT HELP TO KEEP PQ HONEST WITH ITS REFERENDUM. LALONDE NOTED THAT FEDERAL REFERENDUM MIGHT BE USED TO COUNTER AN UNFAIR PQ REFERENDUM OR ONE OFFERING VOTERS A "FUZZY QUESTION"; TO ASK ENGLISH CANADA HOW IT FELT ABOUT SOVEREIGNTY-ASSOCIATION IF THAT WERE APPROVED BY QUEBEC; OR POSSIBLY TO SOUND QUEBEC OPINION IF PQ STALLS WITH ITS OWN REFERENDUM. FEDERAL WEAPON," HOWEVER, IS NOT

WITHOUT RISK AND MAY BE DOUBLE-EDGED SWORD. IT COULD BE
VIEWED, EVEN BY SOME MODERATE QUEBECOIS, AS YET ANOTHER
OTTAWA INTRUSION INTO THE AFFAIRS OF THAT PROVINCE.
AND RESENTED. DUEMLING

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, REFERENDUMS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978OTTAWA01671
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780147-0014
Format: TEL
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780495/aaaadcrx.tel
Line Count: 120
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b4aa09b7-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 QUEBEC 481, 78 QUEBEC 320
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3081834
Secure: OPEN
Status: NATIVE
Subject: TRUDEAU GOVERNMENT INTRODUCES REFERENDUM LEGIS- LATION
TAGS: PEPR, PINT, CA
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/b4aa09b7-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014